



Neighborhood Stabilization Program (NSP) Substantial Amendment to the 2008-2009 One-Year Action Plan

November 18, 2008 (Revised)

**Prepared by the
City of Ontario Housing and Neighborhood Revitalization Agency
208 W. Emporia St.
Ontario, CA 91762
(909) 395-2006**

**APPLICATION FOR
FEDERAL ASSISTANCE**

OMB Approved No. 3076-0006

Version 7/03

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction	<input type="checkbox"/> Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	2. DATE SUBMITTED	Applicant Identifier B-08-MN-06-0514
		3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier

5. APPLICANT INFORMATION	
Legal Name: City of Ontario	Organizational Unit: Department: Housing and Neighborhood Revitalization Agency
Organizational DUNS: 078136223	Division:
Address: Street: 208 W. Emporia St.	Name and telephone number of person to be contacted on matters involving this application (give area code) Prefix: Ms. First Name: Katryna
City: Ontario	Middle Name D.
County: San Bernardino	Last Name Gonzalez
State: CA Zip Code 91762	Suffix:
Country: United States of America	Email: kgonzalez@ci.ontario.ca.us

6. EMPLOYER IDENTIFICATION NUMBER (EIN): 9 5 - 6 0 0 0 7 5 4	Phone Number (give area code) (909) 395-2322	Fax Number (give area code) (909) 395-2288
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8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)	7. TYPE OF APPLICANT: (See back of form for Application Types) C. Municipal Other (specify)
	9. NAME OF FEDERAL AGENCY: Federal Mediation and Conciliation Service

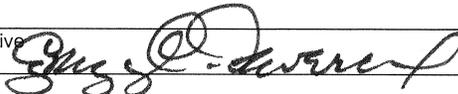
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): Neighborhood Stabilization Program 1 4 - 2 1 8	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: City of Ontario Neighborhood Stabilization Program Substantial Amendment
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12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Cities - City of Ontario
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13. PROPOSED PROJECT Start Date: 01/15/2009 Ending Date: 07/01/2013	14. CONGRESSIONAL DISTRICTS OF: a. Applicant 43 b. Project 43
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15. ESTIMATED FUNDING:	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?
a. Federal NSP \$ 2,738,309.00	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:
b. Applicant \$.00	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372
c. State \$.00	<input checked="" type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
d. Local \$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
e. Other \$.00	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No
f. Program Income \$.00	
g. TOTAL \$ 2,738,309.00	

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Authorized Representative		
Prefix Mr.	First Name Gregory	Middle Name C.
Last Name Devereaux		Suffix
b. Title City Manager		c. Telephone Number (give area code) (909) 395-2000
d. Signature of Authorized Representative 		e. Date Signed 11/25/08

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required face sheet for pre-applications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item:	Entry:	Item:	Entry:																
1.	Select Type of Submission.	11.	Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.																
2.	Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).	12.	List only the largest political entities affected (e.g., State, counties, cities).																
3.	State use only (if applicable).	13.	Enter the proposed start date and end date of the project.																
4.	Enter Date Received by Federal Agency Federal identifier number: If this application is a continuation or revision to an existing award, enter the present Federal Identifier number. If for a new project, leave blank.	14.	List the applicant's Congressional District and any District(s) affected by the program or project																
5.	Enter legal name of applicant, name of primary organizational unit (including division, if applicable), which will undertake the assistance activity, enter the organization's DUNS number (received from Dun and Bradstreet), enter the complete address of the applicant (including country), and name, telephone number, e-mail and fax of the person to contact on matters related to this application.	15.	Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.																
6.	Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.	16.	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.																
7.	Select the appropriate letter in the space provided. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. State</td> <td style="width: 50%;">I. State Controlled Institution of Higher Learning</td> </tr> <tr> <td>B. County</td> <td>J. Private University</td> </tr> <tr> <td>C. Municipal</td> <td>K. Indian Tribe</td> </tr> <tr> <td>D. Township</td> <td>L. Individual</td> </tr> <tr> <td>E. Interstate</td> <td>M. Profit Organization</td> </tr> <tr> <td>F. Intermunicipal</td> <td>N. Other (Specify)</td> </tr> <tr> <td>G. Special District</td> <td>O. Not for Profit Organization</td> </tr> <tr> <td>H. Independent School District</td> <td></td> </tr> </table>	A. State	I. State Controlled Institution of Higher Learning	B. County	J. Private University	C. Municipal	K. Indian Tribe	D. Township	L. Individual	E. Interstate	M. Profit Organization	F. Intermunicipal	N. Other (Specify)	G. Special District	O. Not for Profit Organization	H. Independent School District		17.	This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
A. State	I. State Controlled Institution of Higher Learning																		
B. County	J. Private University																		
C. Municipal	K. Indian Tribe																		
D. Township	L. Individual																		
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F. Intermunicipal	N. Other (Specify)																		
G. Special District	O. Not for Profit Organization																		
H. Independent School District																			
8.	Select the type from the following list: <ul style="list-style-type: none"> • "New" means a new assistance award. • "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date. • "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision enter the appropriate letter: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. Increase Award</td> <td style="width: 50%;">B. Decrease Award</td> </tr> <tr> <td>C. Increase Duration</td> <td>D. Decrease Duration</td> </tr> </table> 	A. Increase Award	B. Decrease Award	C. Increase Duration	D. Decrease Duration	18.	To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)												
A. Increase Award	B. Decrease Award																		
C. Increase Duration	D. Decrease Duration																		
9.	Name of Federal agency from which assistance is being requested with this application.																		
10.	Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.																		



**City of Ontario
Neighborhood Stabilization Program
Substantial Amendment
November 18, 2008 (Revised)**

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NSP Substantial Amendment

Jurisdiction: City of Ontario	NSP Contact Person: Katryna Gonzalez
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	Telephone: (909) 395-2322
	Fax Number: (909) 395-2288
	E-Mail: kgonzalez@ci.ontario.ca.us

Executive Summary

This Amendment is a supplement to the 2008-2009 One-Year Action Plan submitted to the U.S. Department of Housing and Urban Development (HUD) on May 14, 2008 and is necessary to accommodate new HUD funding under the Neighborhood Stabilization Program (NSP). Title III of Division B of the Housing and Economic Recovery Act, 2008 (HERA) appropriates \$3.92 billion for emergency assistance for the redevelopment of abandoned and foreclosed homes and residential properties. The City of Ontario received a formula allocation of \$2,738,309 in NSP funds.

The following table identifies the recommended allocations for NSP-related activities.

Proposed Programs	NSP	HOME*	ADDI*	TOTAL
HOUSING STRATEGY				
Goal #2: Expand affordable rental housing opportunities, particularly for low-income persons.				
Mercy House Multi-Family Program	\$1,902,599	\$1,316,362	\$ 0	\$3,218,961
Goal #2 Subtotal	\$1,902,599	\$1,316,362	\$ 0	\$3,218,961
Goal #3: Increase affordable homeownership opportunities, particularly for low- and moderate-income persons.				
Single-Family ARR Program	\$282,229	\$ 0	\$ 0	\$282,229
Mortgage Assistance Program	\$279,650	\$ 0	\$119,850	\$399,500
Establish Land Banks	\$ 0	\$ 0	\$ 0	\$ 0
Demolition and Redevelopment of Foreclosed or Abandoned and Blighted Properties	\$ 0	\$ 0	\$ 0	\$ 0
Goal #3 Subtotal	\$561,879	\$ 0	\$119,850	\$681,729
ADMINISTRATION				
City of Ontario NSP Administration	\$273,831	\$ 0	\$ 0	\$273,831
Administration Subtotal	\$273,831	\$ 0	\$ 0	\$273,831
TOTALS	\$2,738,309	\$1,316,362	\$119,850	\$4,174,521

*HOME funds and ADDI funds were previously allocated through the Consolidated Planning process, and are shown here to identify leveraging of NSP funds.

A. Areas of Greatest Need

HUD Instructions: Provide summary needs data identifying the geographic areas of greatest need in the grantee's jurisdiction.

Note: An NSP substantial amendment must include the needs of the entire jurisdiction(s) covered by the program; states must include the needs of communities receiving their own NSP allocation. To include the needs of an entitlement community, the State may either incorporate an entitlement jurisdiction's consolidated plan and NSP needs by reference and hyperlink on the Internet, or state the needs for that jurisdiction in the State's own plan. The lead entity for a joint program may likewise incorporate the consolidated plan and needs of other participating entitlement jurisdictions' consolidated plans by reference and hyperlink or state the needs for each jurisdiction in the lead entity's own plan.

HUD has developed a foreclosure and abandonment risk score to assist grantees in targeting the areas of greatest need within their jurisdictions. Grantees may wish to consult this data, in developing this section of the Substantial Amendment.

Response:

The City of Ontario is located in the Riverside/San Bernardino/Ontario metropolitan statistical area (MSA, also known as the "Inland Empire.") In July 2008, the Inland Empire accounted for 5.7% of all foreclosure filings nationwide and 21.4% of all foreclosure filings in California¹. There are a total of two counties (Riverside County and San Bernardino County) and 28 incorporated cities in the Riverside/San Bernardino/Ontario MSA according to the 2000 census.

California is a non-judicial foreclosure state. The foreclosure process begins with a recorded Notice of Default (NOD), which is a public notification that the borrower has fallen behind in their monthly mortgage payments. If the default is not cured, or the loan renegotiated or replaced, the NOD is followed after a minimum of three months by a Notice of Trustee's Sale (NOTS). The actual Trustee's Sale cannot occur less than 20 days after public notice. The Trustee's Sale is a public auction, at which anyone may place a bid, including the lender and any junior lien holders. The foreclosure process may be stopped if the default is cured within five (5) days in advance of the sale date. If no one bids, and the foreclosure process was not stopped, title (ownership) of the property reverts to the lender as REO (Real Estate Owned) property. The typical foreclosure process takes at least 117 days in California.

According to an article published on August 29, 2008 by RealtyTrac, there were a total of 72,285 properties in California with foreclosure filings reported in July 2008². Riverside County had the second highest number of reported filings, 8,272 properties, and San Bernardino County had

¹ RealtyTrac, *Press Release*, September 12, 2008, <http://www.realtytrac.info/ContentManagement/Library.aspx?ChannelID=13&ItemID=5051>

² Ibid

the third highest number of reported filings, 7,192 properties, in the state. One out of every 182 homes within San Bernardino and Riverside Counties has a reported foreclosure filing. California has led the nation with foreclosure filings since December 2006.

For the City of Ontario, 3.7% of all housing units had a foreclosure filing between July 1, 2007 and October 14, 2008, according to data obtained from RealtyTrac. There are a total of 47,276 housing units within the City of Ontario and 1,750 foreclosure filings during the period referenced above. The City of Ontario ranks fourth of 24 incorporated cities in total housing units within San Bernardino County and sixth of 48 incorporated cities in total housing units in the Riverside/San Bernardino/Ontario MSA.

In order to identify areas of greatest need, City of Ontario Housing Agency staff obtained and evaluated information on foreclosure filings, including bank owned properties, Notices of Default, and Notices of Trustee's Sales, through RealtyTrac for the period of July 1, 2007 through October 14, 2008. This information was evaluated against census tract block groups in the City with at least 51% of the residents with income levels at or below 120 percent of the Area Median Income (AMI). For the purposes of this amendment, the low, moderate, and middle-income areas will be noted as LMMI areas. This data was provided by the U.S. Department of Housing and Urban Development (HUD) and can be found on the HUD web site at http://www.huduser.org/publications/commdev/nsp_target.html. There are a total of 92 census tract block groups in the City of which 73 census tract block groups, or 79%, are qualified LMMI areas. Refer to Map 1 in Appendix A for more information.

In addition to RealtyTrac data, City of Ontario Housing Agency staff also evaluated data available from HUD including the following data sets:

- Area unemployment rate (Ontario's unemployment rate is 8.3%);
- Area average housing sales price decline (Ontario's housing prices have declined 22.9% since the peak of the market);
- High cost loan rate (mortgages with interest-only payment options, state income mortgages, mortgages with high loan to value ratios, etc.) (Ontario's rate of high cost loans ranges between 19.9% and 45.4%);
- The predicted 18 month underlying foreclosure rate (Ontario's 18-month predicted foreclosure rate ranges between 7.4% and 11.5%); and
- Housing units that have been vacant for at least 90 days (Ontario's vacancy rate ranges between 0% and 5.1%).

Based on these factors, HUD has established a foreclosure and abandonment risk score. Refer to Maps 2 through 5 in Appendix A for information on the data used to evaluate the areas of greatest need. The City has identified 46 census tract block groups, 50% of the block groups within the City, as the areas of greatest need. These block groups were identified based on the following criteria:

- Available housing product types in context of the activities proposed by the City;
- Areas within existing target neighborhoods for other housing programs, including the Ontario CARES program;
- Areas where the NSP funds utilized by the City will have the largest impact; and
- Areas with a concentration of existing foreclosed homes (based on RealtyTrac data).

The table below lists the Census Tracts and Block Group numbers identified as having the greatest need. Please refer to Map 2 for additional information.

Census Tract	Block Group Numbers Identified as Areas of Greatest Need
0010.00	10, 20, 30, 40, 50
0011.00	10, 20, 30, 40, 50, 60, 70
0012.00	10, 20, 40
0013.01	10, 20, 30, 40, 50, 60
0013.03	10, 20, 30, 40, 50, 60
0014.00	10, 20
0015.00	10, 20, 30, 40, 50
0017.01	10, 20, 30, 40, 60, 70, 80
0017.02	10
0018.01	10, 20, 40
0018.02	50

B. Distribution and Uses of Funds

HUD Instructions: Provide a narrative describing how the distribution and uses of the grantee’s NSP funds will meet the requirements of Section 2301(c)(2) of HERA that funds be distributed to the areas of greatest need, including those with the greatest percentage of home foreclosures, with the highest percentage of homes financed by a subprime mortgage related loan, and identified by the grantee as likely to face a significant rise in the rate of home foreclosures. **Note:** The grantee’s narrative must address these three stipulated need categories in the NSP statute, but the grantee may also consider other need categories.

Response:

City of Ontario Housing Agency staff have analyzed data available from HUD in order to meet the requirements of Section 2301(c)(2) of the Housing and Economic Recovery Act (HERA) that NSP funds received by a unit of general local government shall distribute those funds by giving priority emphasis and consideration to those areas with the greatest need, including those with the greatest percentage of home foreclosures, with the highest percentage of homes financed by a subprime mortgage related loan, and identified as likely to face a significant rise in the rate of home foreclosures.

As a result of this analysis, the City of Ontario will prioritize the use of NSP funds by first prioritizing the acquisition of foreclosed units in neighborhoods with the highest foreclosure

and abandonment risk score as established by HUD. HUD evaluated the number of homes financed by a subprime mortgage related loan (high cost loans), the number of homes likely to be foreclosed within the next 18 months, and residential vacancy rate data from the United States Postal Service to establish the foreclosure and abandonment risk score. City of Ontario Housing Agency staff have evaluated the foreclosure and abandonment risk score against foreclosure data from RealtyTrac and have determined that the areas with a foreclosure and abandonment risk score of seven or greater are the areas of greatest need within the City.

Acquisition activities conducted by the City of Ontario and its development partners for both single-family and multi-family residential properties, whether for rehabilitation or demolition, will be focused in the areas with a foreclosure and abandonment risk score of seven or greater. The majority of the census tract block groups within the City (79%) are eligible LMMI areas, as such, the targeting established by City of Ontario Housing Agency staff is consistent with the goals of the NSP program to serve individuals and families with incomes at or below 120% Area Median Income (AMI).

Resale of single-family properties assisted with NSP funds will be targeted to households with an income at or below 120% AMI. Rental of multi-family properties assisted with NSP funds will provide a range of affordability. All assisted multi-family properties will provide a minimum of 25% of the units at or below 50% and the remaining units will be restricted to a maximum household income of 120% AMI. The table below shows the current income limits for both 50% and 120% AMI as adjusted for family size.

NSP Income Limits Adjusted for Family Size

Family Size	50% AMI	80% AMI	120% AMI
1	\$23,300	\$37,300	\$55,950
2	\$26,650	\$42,650	\$63,950
3	\$29,950	\$47,950	\$71,950
4	\$33,300	\$53,300	\$79,900
5	\$35,950	\$57,550	\$86,300
6	\$38,650	\$61,850	\$92,700
7	\$41,300	\$66,100	\$99,100
8	\$43,950	\$70,350	\$105,500

Homebuyer assistance under the Mortgage Assistance Program activity will not be targeted to any specific geographic areas.

C. Definitions and Descriptions

HUD Instructions: (1) Definition of “blighted structure” in context of state or local law.

Response:
Blighted Structure

The City of Ontario uses the State of California’s definition of blight as found in California Health and Safety Code Section 33031 and the Uniform Code for the Abatement of Dangerous Buildings Section 302 which are attached in Appendix B.

HUD Instructions: (2) Definition of “affordable rents.” **Note:** Grantees may use the definition they have adopted for their CDBG program but should review their existing definition to ensure compliance with NSP program –specific requirements such as continued affordability.

Response:

Affordable Rents

Affordable rents for any NSP-funded rental activity will be defined as follows:

- Very Low-Income (50% of AMI) – Affordable housing cost for very low income households is the product of 30% times 50% of the area median income adjusted for family size appropriate for the size of the assisted unit.
- Low-Income (80% of AMI) – Affordable housing cost for low-income households is the lower of either the Fair Market Rent (FMR) or the 65% Rent Limit as published by HUD annually appropriate for the size of the assisted unit.
- Middle-Income (120% of AMI) – Affordable housing cost for a middle-income household is the product of 30% times 110% of the area median income adjusted for family size appropriate for the size of the assisted unit.

HUD Instructions: (3) Describe how the grantee will ensure continued affordability for NSP assisted housing.

Response:

Continued Affordability

Continued affordability will be ensured for the entire period of affordability through monitoring, following the specific HOME monitoring requirements as defined in 24 CFR Part 92. Homebuyers of single-family homes assisted with NSP funds will be issued annual letters requesting certification that the property is being used for their primary residence. The City will conduct on-site inspections of multi-family residential projects containing one to four units assisted with NSP funds once every three years and will conduct on-site inspections of projects containing five to twenty-five housing units once every two years. Projects containing twenty-six or more units will be inspected annually. In addition to on-site inspections for multi-family residential projects, project files will be reviewed annually for compliance with affordability requirements.

Any housing assisted with NSP funds will have a regulatory agreement and/or Deed of Trust recorded against the property to ensure continued affordability. Single-family homes

purchased, rehabilitated, and resold with NSP assistance will incorporate recapture provisions into the loan documents to make the funds available for another NSP-eligible activity or return the funds to the U.S. Treasury. Multi-family residential properties assisted with NSP funds will have long-term regulatory agreements recorded against the property to ensure that rents remain affordable to households at or below 50%, 80%, or 120% of AMI.

HUD Instructions: (4) Describe housing rehabilitation standards that will apply to NSP assisted activities.

Response:

Housing Rehabilitation Standards

The City of Ontario uses its Municipal Code and related codes, including the Uniform Housing Code (UHC) as adopted by the Ontario Municipal Code to define Housing Rehabilitation Standards. All properties rehabilitated with NSP funds will meet the standards established in UHC Chapter 10. UHC Chapter 10 is included in Appendix C for reference.

In addition to these standards, a lead-based paint inspection report may be required of any home built prior to 1978. Reduction of lead-based paint hazards will be performed for any properties receiving rehabilitation assistance of less than \$25,000 per unit and abatement of lead based paint hazards will be performed for any properties receiving substantial rehabilitation in excess of \$25,000 per unit.

Removal of any materials identified as containing asbestos, if necessary, will be included as part of the property rehabilitation.

The City of Ontario may include improvements for energy efficiency or conservation and/or renewable energy sources as part of the rehabilitation of residential properties assisted with NSP funds.

D. Low Income Targeting

HUD Instructions: Identify the estimated amount of funds appropriated or otherwise made available under the NSP to be used to purchase and redevelop abandoned or foreclosed upon homes or residential properties for housing individuals or families whose incomes do not exceed 50 percent of area median income: \$684,577.

Note: At least 25% of funds must be used for housing individuals and families whose incomes do not exceed 50 percent of area median income.

Response:

A minimum of \$684,577 (25% of the City of Ontario's NSP allocation) will be targeted to provide housing for individuals and families whose incomes do not exceed 50% of AMI.

E. Acquisitions & Relocation

HUD Instructions: Indicate whether grantee intends to demolish or convert any low- and moderate-income dwelling units (i.e., $\leq 80\%$ of area median income).

If so, include:

- The number of low- and moderate-income dwelling units—i.e., $\leq 80\%$ of area median income—reasonably expected to be demolished or converted as a direct result of NSP-assisted activities.
- The number of NSP affordable housing units made available to low-, moderate-, and middle-income households—i.e., $\leq 120\%$ of area median income—reasonably expected to be produced by activity and income level as provided for in DRGR, by each NSP activity providing such housing (including a proposed time schedule for commencement and completion).
- The number of dwelling units reasonably expected to be made available for households whose income does not exceed 50 percent of area median income.

Response:

All activities utilizing NSP funds are anticipated to be initiated upon the release of NSP funds. All funds will be initially obligated within 18 months; several of these activities anticipate returning funds (e.g., program income) which will be continued to be used within the NSP guidelines as long as possible (currently July 2013).

- It is anticipated that less than four units assisted by NSP funds would be converted.
- Some units may be acquired and demolished under various activities using NSP funds. It is not anticipated that any of the units demolished will have had an affordability covenant; however, some of these may have been occupied and/or owned by low- and moderate-income households. A reasonable number anticipated that would fall into this category would be between four to eight units.
- The number of NSP affordable housing units made available to low-, moderate-, and middle-income households reasonably expected to be produced by the various activities are as follows:
 - Acquisition, rehabilitation, and resale of foreclosed upon or abandoned single-family homes are estimated to cost an average of \$56,446 of NSP funds per unit. Based upon the budget allocation for this activity, approximately five units will be produced. Changes in average costs could change this number.

- Acquisition and rehabilitation of multi-family residential properties are estimated to cost an average of \$161,175 of NSP funds per unit. Based upon the budget allocation for this activity, approximately 12 units will be produced. Changes in average costs could change this number.
- Financial assistance including down payment loans, closing costs, shared equity loans, etc. are estimated to cost an average of \$27,965 of NSP funds per unit. Based upon the budget allocation for this activity, approximately 10 units will be produced.
- The number of dwelling units anticipated to be made available to households at or below 50% of AMI is expected to be approximately five units. Additional units may be created for this income category if additional funding sources are identified to leverage NSP funds.

F. Public Comment

HUD Instructions: Provide a summary of public comments received to the proposed NSP Substantial Amendment.

Note: proposed NSP Substantial Amendment must be published via the usual methods and posted on the jurisdiction's website for no less than 15 calendar days for public comment.

Response:

The draft NSP Substantial Amendment was advertised in the Inland Valley Daily Bulletin on November 3, 2008 announcing the public comment period between November 3, 2008 and November 18, 2008. The draft NSP Substantial Amendment was available for public review at the Ontario City Library, Ontario City Hall Records Management Department, City of Ontario Housing Agency, and on the City's website at www.ci.ontario.ca.us. Several questions were received via e-mail from a citizen representing a condominium homeowner's association in response to the NSP Substantial Amendment. The questions and the City's response are included with this Amendment as Appendix E.

The City Council approved the NSP Substantial Amendment at its regular meeting on November 18, 2008. No public comments were made regarding the NSP Substantial Amendment.

G. NSP Information by Activity

Information for activities using NSP funds is included on the following pages.

Activity Name: Mortgage Assistance Program

Activity Type:

NSP Eligible Use: This activity is an NSP eligible activity pursuant to 2301(c)(3)(A).

Correlated Eligible Activity under CDBG: This activity is a correlated CDBG eligible activity pursuant to 24 CFR 570.201(n) – homeownership assistance.

National Objective: The activity meets the CDBG National Objectives by benefiting low and moderate income persons (at or below 80% area median income).

Activity Description: This activity will include the down payment, closing cost, interest rate buy downs, soft seconds, loan loss reserves, and shared equity loans for low-, moderate-, and middle-income homebuyers. This activity will include direct homeownership assistance provided to homebuyers purchasing foreclosed upon or abandoned properties. All homebuyers assisted under this activity will complete the required 8-hour homebuyer counseling training by a HUD-certified counseling agency.

Location Description: This activity is available to income-qualified homebuyers citywide.

Performance Measures: This activity will be measured by the number of housing units made available. This activity is anticipated to serve households at or below 80% AMI. It is anticipated that approximately ten (10) housing units will be produced under this activity.

Total Budget: A total of \$279,650 of NSP funds will be allocated to this activity. In addition, American Dream Downpayment Initiative (ADDI) funds in the amount of \$119,850 will be leveraged with NSP funds to provide additional assistance. Other homebuyer assistance funding sources will be sought to leverage the NSP funds, if needed.

Responsible Organization: The City of Ontario will be responsible for implementing this activity. Contact information is as follows: City of Ontario, Housing and Neighborhood Revitalization Agency, Katryna Gonzalez, Project Manager, 208 W. Emporia St., Ontario, CA 91762, (909) 395-2322, fax (909) 395-2288, e-mail kgonzalez@ci.ontario.ca.us.

Projected Start Date: It is anticipated that this activity will begin within 90 days of an executed agreement for NSP funds from HUD.

Projected End Date: The activity will continue to be undertaken until all funds allocated for this program have been depleted including the initial allocation and any program income received through July 2013.

Specific Activity Requirements: All properties will be acquired with NSP funds will be purchased with a minimum individual property discount of 5% and an average discount on the

aggregate of all properties purchased of 15% below current appraised value at the time of acquisition.

Homeownership assistance provided will be made in the form of a zero-interest 30-year deferred loan. The amount of assistance from NSP funds would be up to 15% of the purchase price of the home. The amount of assistance from ADDI funds would be up to 6% of the purchase price of the home or \$10,000, whichever is greater; however, total assistance from both funding sources could not exceed 20% of the purchase price of the home. The assistance could be used for down payment, closing costs, or interest rate buy downs at the discretion of the homebuyer. The loans would include a recapture provision at the end of the term of the loan or if the home is sold or refinanced for any reason other than to improve the terms of the original loan with no additional cash out prior to the expiration of the term. In addition, the repayment terms would include an equity share component equivalent to the percentage of mortgage assistance provided.

Recaptured funds terms would ensure that the homebuyer recovers their initial investment and any eligible capital investments made by the homeowner before any funds, including principal and equity shares, are repaid to the City. Recaptured funds received prior to July 2013 would be used to assist other NSP-eligible activities. Recaptured funds received after July 2013 would be returned to the U.S. Treasury, or if authorized, would be used to continue to assist other NSP-eligible activities.

The underwriting guidelines for this program will include a 30% front-end ratio of housing debt to income and a 43% back-end ratio of all debt to income.

Activity Name: Single Family Acquisition Rehabilitation Resale Program (ARR)

Activity Type:

NSP Eligible Use: This activity is an NSP eligible activity pursuant to 2301(c)(3)(B).

Correlated Eligible Activity under CDBG: This activity is a CDBG eligible activity pursuant to 24 CFR 570.201(a) – acquisition, 570.202 – rehabilitation, and 570.201(n) – homeownership assistance.

National Objective: The activity meets the CDBG National Objectives by benefiting low, moderate, and middle income (LMMI) persons (at or below 120% area median income).

Activity Description: This activity will include the acquisition, rehabilitation, and resale of foreclosed or abandoned single-family homes that require rehabilitation located within areas with a foreclosure and abandonment risk score equal to or greater than seven. The program is designed to enable partnerships with private and/or non-profit housing developers. Properties will be acquired and rehabilitated by either the City of Ontario or its development partners, as established by a development agreement or subrecipient agreement. Private and/or non-profit housing partners will be encouraged to obtain financing for the up-front acquisition and rehabilitation costs.

After completion of the rehabilitation, the property will be sold to a LMMI-eligible buyer with down payment assistance provided by the City. All homebuyers assisted under this activity will complete the required 8-hour homebuyer counseling training by a HUD-certified counseling agency.

Location Description: This activity is restricted to areas with a foreclosure and abandonment risk score equal to or greater than seven. Refer to Map 2 in Appendix A for more information.

Performance Measures: This activity will be measured by the number of housing units made available. This activity is anticipated to produce approximately five (5) housing units.

Total Budget: A total of \$282,229 of NSP funds will be allocated to this activity. Private funding sources will be sought to further leverage the NSP funds.

Responsible Organization: The City of Ontario will be responsible for implementing this activity. Contact information is as follows: City of Ontario, Housing and Neighborhood Revitalization Agency, Katryna Gonzalez, Project Manager, 208 W. Emporia St., Ontario, CA 91762, (909) 395-2322, fax (909) 395-2288, e-mail kgonzalez@ci.ontario.ca.us.

The City of Ontario anticipates working with private and/or non-profit housing partners in executing this activity.

Projected Start Date: It is anticipated that this activity will begin within 90 days of an executed agreement for NSP funds from HUD.

Projected End Date: The activity will continue to be undertaken until all funds allocated for this program have been depleted including the initial allocation and any program income received through July 2013.

Specific Activity Requirements: All properties will be acquired with NSP funds will be purchased with a minimum individual property discount of 5% and an average discount on the aggregate of all properties purchased of 15% below current appraised value at the time of acquisition.

Homeownership assistance will be made in the form of a zero-interest 30-year deferred loan not to exceed 20% of the purchase price of the home to be used for down payment, closing costs, or interest rate buy downs at the discretion of the homebuyer. The loans would include a recapture provision at the end of the term of the loan or if the home is sold or refinanced for any reason other than to improve the terms of the original loan with no additional cash out prior to the expiration of the term. In addition, the repayment terms would include an equity share component equivalent to the percentage of mortgage assistance provided.

If a development subsidy in addition to the direct subsidy to the homebuyer exists within the project, a resale provision would be applied in place of the recapture provision.

Recaptured funds terms would ensure that the homebuyer recovers their initial investment and any eligible capital investments made by the homeowner before any funds, including principal and equity shares, are repaid to the City. Recaptured funds received prior to July 2013 would be used to assist other NSP-eligible activities. Recaptured funds received after July 2013 would be returned to the U.S. Treasury, or if authorized, would be used to continue to assist other NSP-eligible activities.

The underwriting guidelines for this program will include a 30% front-end ratio of housing debt to income and a 43% back-end ratio of all debt to income.

Activity Name: Mercy House Multi-Family Program

Activity Type:

NSP Eligible Use: This activity is an NSP eligible activity pursuant to 2301(c)(3)(B).

Correlated Eligible Activity under CDBG: This activity is a CDBG eligible activity pursuant to 24 CFR 570.201(a) – acquisition and 570.202 – rehabilitation.

National Objective: The activity meets the CDBG National Objectives by benefiting low, moderate, and middle income persons (at or below 120% area median income).

A minimum of 25% of the units assisted would be restricted to households at or below 50% of AMI.

Activity Description: This activity will include the acquisition and rehabilitation of foreclosed or abandoned multi-family residential properties located within areas with a foreclosure and abandonment risk score equal to or greater than seven. Properties will be acquired and rehabilitated by the Ontario Housing Authority or its development partners, as established by a development agreement. After completion of the rehabilitation, the property will be leased to Mercy House, a non-profit affordable housing provider to operate as permanent affordable housing units with the City of Ontario Continuum of Care. Tenants will be restricted to at or below one of three income levels, below 50% of AMI, 51% to 80% of AMI, or 81% to 120% of AMI.

This activity will be used to meet the low income housing requirement for those below 50% of AMI.

Location Description: This activity is restricted to areas with a foreclosure and abandonment risk score equal to or greater than seven. Refer to Map 2 in Appendix A for more information.

Performance Measures: This activity will be measured by the number of housing units made available. It is anticipated that approximately 12 housing units will be produced with NSP funds and an additional 12 housing units will be produced with HOME funds by this activity. The table below illustrates the anticipated affordability mix for this activity.

INCOME LEVEL	# OF UNITS
≤ 50% of AMI	5
≤ 80% of AMI	11
≤ 120% of AMI	6
Unrestricted (property manager units)	2
TOTAL	24

Total Budget: A total of \$1,902,599 of NSP funds will be allocated to this activity. These funds will be leveraged with \$2,136,270 of HOME funds. Private funding sources will be sought to further leverage the HOME and NSP funds.

Responsible Organization: The City of Ontario will be responsible for implementing this activity. Contact information is as follows: City of Ontario, Housing and Neighborhood Revitalization Agency, Katryna Gonzalez, Project Manager, 208 W. Emporia St., Ontario, CA 91762, (909) 395-2322, fax (909) 395-2288, e-mail kgonzalez@ci.ontario.ca.us.

Projected Start Date: It is anticipated that this activity will begin within 90 days of an executed agreement for NSP funds from HUD.

Projected End Date: The activity will continue to be undertaken until all funds allocated for this program have been depleted including the initial allocation and any program income received through July 2013.

Specific Activity Requirements: All properties will be acquired with NSP funds will be purchased with a minimum individual property discount of 5% and an average discount on the aggregate of all properties purchased of 15% below current appraised value at the time of acquisition.

The Ontario Housing Authority would retain ownership of multi-family residential properties acquired under this activity. The properties would be leased to Mercy House for one dollar per year with a long-term lease to provide additional permanent affordable housing units as part of the City of Ontario Continuum of Care. In addition to lease documents, Affordable Housing Agreements would be recorded against each property assisted with NSP and HOME funds to ensure continued affordability for the term of the lease. Rents would be restricted to tenants at or below 50% of AMI, 80% of AMI, or 120% of AMI depending upon the funding sources used to complete the project.

Activity Name: Establish Land Banks

Activity Type:

NSP Eligible Use: This activity is an NSP eligible activity pursuant to 2301(c)(3)(C).

Correlated Eligible Activity under CDBG: HERA provides an exception to CDBG-eligibility for this activity. Acquisition and disposition of property is a CDBG-eligible activity pursuant to 24 CFR 570.201(a) – acquisition and 24 CFR 570.201 (b) – disposition.

National Objective: The activity meets the CDBG National Objectives by benefiting low, moderate, and middle income persons (at or below 120% area median income).

Activity Description: This activity would include the acquisition and demolition of foreclosed or abandoned blighted homes and/or residential properties and/or those properties which have lost their legal non-conforming use status due to vacancy beyond the legislated limits.

Location Description: This activity is restricted to areas with a foreclosure and abandonment risk score equal to or greater than seven. Refer to Map 2 in Appendix A for more information.

Performance Measures: This activity will be measured by the number of units affected. It is anticipated that this activity will affect a very small number of units (less than five).

Total Budget: No initial budget has been allocated to this activity. If eligible properties are identified for this activity, funds initially budgeted to other NSP-eligible activities or NSP program income will be allocated to this activity.

Responsible Organization: The City of Ontario will be responsible for implementing this activity. Contact information is as follows: City of Ontario, Housing and Neighborhood Revitalization Agency, Katryna Gonzalez, Project Manager, 208 W. Emporia St., Ontario, CA 91762, (909) 395-2322, fax (909) 395-2288, e-mail kgonzalez@ci.ontario.ca.us.

Projected Start Date: It is anticipated that this activity will begin within 90 days of an executed agreement for NSP funds from HUD.

Projected End Date: The activity will continue to be undertaken until all funds allocated for this program have been depleted including the initial allocation and any program income received through July 2013.

Specific Activity Requirements: Properties identified as eligible for this activity may be redeveloped for infrastructure or public facility needs.

Activity Name: Acquisition, Demolition, and Redevelopment

Activity Type:

NSP Eligible Use: This activity is an NSP eligible activity pursuant to 2301(c)(3)(D) and 2301(c)(3)(E).

Correlated Eligible Activity under CDBG: This activity is a CDBG eligible activity pursuant to 24 CFR 570.201(a) – acquisition, 570.201(b) – disposition, and 570.201(c) – redevelopment of public facilities and improvements.

National Objective: The activity meets the CDBG National Objectives by benefiting low, moderate, and middle income persons (at or below 120% area median income).

Activity Description: This activity would include the acquisition, demolition, and redevelopment of foreclosed or abandoned blighted homes and/or residential properties.

Location Description: This activity is restricted to areas with a foreclosure and abandonment risk score equal to or greater than seven. Refer to Map 2 in Appendix A for more information.

Performance Measures: This activity will be measured by the number of units affected. It is anticipated that this activity will affect a very small number of units (less than five).

Total Budget: No initial budget has been allocated to this activity. If eligible properties are identified for this activity, funds initially budgeted to other NSP-eligible activities or NSP program income will be allocated to this activity.

Responsible Organization: The City of Ontario will be responsible for implementing this activity. Contact information is as follows: City of Ontario, Housing and Neighborhood Revitalization Agency, Katryna Gonzalez, Project Manager, 208 W. Emporia St., Ontario, CA 91762, (909) 395-2322, fax (909) 395-2288, e-mail kgonzalez@ci.ontario.ca.us.

Projected Start Date: It is anticipated that this activity will begin within 90 days of an executed agreement for NSP funds from HUD.

Projected End Date: The activity will continue to be undertaken until all funds allocated for this program have been depleted including the initial allocation and any program income received through July 2013.

Specific Activity Requirements: Properties identified as eligible for acquisition for this activity will be assessed by the City of Ontario Code Enforcement Department and/or Building Department. If it is determined that property is blighted, the property would be demolished. A new home may be constructed on the property or the property may be redeveloped for other purposes including infrastructure, public facilities, or other public improvements.

Activity Name: NSP Administration

Activity Type:

NSP Eligible Use: This activity is an NSP eligible use pursuant to 2301(e)(1) as modified by 73 FR 58330.

Correlated Eligible Activity under CDBG: This activity is a CDBG eligible activity pursuant to 24 CFR 570.205 – Eligible planning, urban environmental design and policy-planning-management-capacity building activities and 570.206 – Program Administrative Costs as modified by NSP regulations.

National Objective: This is not required for this activity.

Activity Description: This activity is grant administration which includes, but is not limited to the following activities:

- Wages and salaries for those persons involved with administering NSP-funded activities, including program compliance staff, inspection staff, and other related staff.
- Environmental review for compliance with the National Environmental Policies Act (NEPA).
- Procurement (including letting of appropriate Requests for Proposals, Notices of Funding Opportunities, etc.).
- Financial data collection and reporting.
- Quarterly Reporting.
- Data entry and reporting through DRGR.
- Providing technical assistance to activity sponsors.
- Ensuring public participation.

Location Description: This is not required for this activity.

Performance Measures: This is not required for this activity.

Total Budget: A total of \$273,831 of NSP funds will be allocated to this activity.

Responsible Organization: The City of Ontario will be responsible for implementing this activity. Contact information is as follows: City of Ontario, Housing and Neighborhood Revitalization Agency, Katryna Gonzalez, Project Manager, 208 W. Emporia St., Ontario, CA 91762, (909) 395-2322, fax (909) 395-2288, e-mail kgonzalez@ci.ontario.ca.us.

Projected Start Date: This activity began on October 10, 2008 with the planning and development, including research and field inspections, of the NSP Substantial Amendment.

Projected End Date: Continued grant administration through July 2013.

Specific Activity Requirements: The City has incurred pre-award costs for planning and administration, including data access, research of various data sources for foreclosed homes, field inspection, and other research and tools necessary to prepare the NSP Substantial Amendment.

CERTIFICATIONS

- (1) **Affirmatively furthering fair housing.** The jurisdiction will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.
- (2) **Anti-lobbying.** The jurisdiction will comply with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.
- (3) **Authority of Jurisdiction.** The jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.
- (4) **Consistency with Plan.** The housing activities to be undertaken with NSP funds are consistent with its consolidated plan, which means that NSP funds will be used to meet the congressionally identified needs of abandoned and foreclosed homes in the targeted area set forth in the grantee's substantial amendment.
- (5) **Acquisition and relocation.** The jurisdiction will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the Notice for the NSP program published by HUD.
- (6) **Section 3.** The jurisdiction will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- (7) **Citizen Participation.** The jurisdiction is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.
- (8) **Following Plan.** The jurisdiction is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.
- (9) **Use of funds in 18 months.** The jurisdiction will comply with Title III of Division B of the Housing and Economic Recovery Act of 2008 by using, as defined in the NSP Notice, all of its grant funds within 18 months of receipt of the grant.

(10) **Use NSP funds ≤ 120 of AMI.** The jurisdiction will comply with the requirement that all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income.

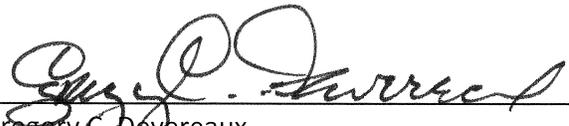
(11) **Assessments.** The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.

(12) **Excessive Force.** The jurisdiction certifies that it has adopted and is enforcing: (1) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and (2) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from, a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

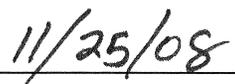
(13) **Compliance with anti-discrimination laws.** The NSP grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(14) **Compliance with lead-based paint procedures.** The activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(15) **Compliance with laws.** The jurisdiction will comply with applicable laws.



Gregory C. Devereaux
City Manager



Date

NSP Substantial Amendment Checklist

For the purposes of expediting review, HUD asks that applicants submit the following checklist along with the NSP Substantial Amendment and SF-424.

Contents of an NSP Action Plan Substantial Amendment

Jurisdiction:	City of Ontario	NSP Contact Person:	Katryna Gonzalez
Web Address:	www.ci.ontario.ca.us	Address:	208 W. Emporia St. Ontario, CA 91762
		Telephone:	(909) 395-2322
		Fax Number:	(909) 395-2288
		E-Mail:	kgonzalez@ci.ontario.ca.us

The elements in the substantial amendment required for the Neighborhood Stabilization Program are:

A. AREAS OF GREATEST NEED

Does the submission include summary needs data identifying the geographic areas of greatest need in the grantee's jurisdiction?

Yes No . Verification found on page 2-4.

B. DISTRIBUTION AND USES OF FUNDS

Does the submission contain a narrative describing how the distribution and uses of the grantee's NSP funds will meet the requirements of Section 2301(c)(2) of HERA that funds be distributed to the areas of greatest need, including those with the greatest percentage of home foreclosures, with the highest percentage of homes financed by a subprime mortgage related loan, and identified by the grantee as likely to face a significant rise in the rate of home foreclosures?

Yes No . Verification found on page 4-5.

Note: The grantee's narrative must address the three stipulated need categories in the NSP statute, but the grantee may also consider other need categories.

C. DEFINITIONS AND DESCRIPTIONS

For the purposes of the NSP, do the narratives include:

- a definition of "blighted structure" in the context of state or local law,
Yes No . Verification found on page 5, Appendix B.
- a definition of "affordable rents,"
Yes No . Verification found on page 5-6.

- a description of how the grantee will ensure continued affordability for NSP assisted housing,
Yes No . Verification found on page 6.
- a description of housing rehabilitation standards that will apply to NSP assisted activities?
Yes No . Verification found on page 7, Appendix C.

D. LOW INCOME TARGETING

- Has the grantee described how it will meet the statutory requirement that at least 25% of funds must be used to purchase and redevelop abandoned or foreclosed upon homes or residential properties for housing individuals and families whose incomes do not exceed 50% of area median income?
Yes No . Verification found on page 7.
- Has the grantee identified how the estimated amount of funds appropriated or otherwise made available will be used to purchase and redevelop abandoned or foreclosed upon homes or residential properties for housing individuals or families whose incomes do not exceed 50% of area median income?
Yes No . Verification found on page 14.
Amount budgeted = \$684,577.

E. ACQUISITIONS & RELOCATION

Does grantee plan to demolish or convert any low- and moderate-income dwelling units?

- Yes No . (If no, continue to next heading)
Verification found on page 8-9.

If so, does the substantial amendment include:

- The number of low- and moderate-income dwelling units—i.e., ≤ 80% of area median income—reasonably expected to be demolished or converted as a direct result of NSP-assisted activities?
Yes No . Verification found on page 8.
- The number of NSP affordable housing units made available to low-, moderate-, and middle-income households—i.e., ≤ 120% of area median income—reasonably expected to be produced by activity and income level as provided for in DRGR, by each NSP activity providing such housing (including a proposed time schedule for commencement and completion)?
Yes No . Verification found on page 8-9.
- The number of dwelling units reasonably expected to be made available for households whose income does not exceed 50 percent of area median income?
Yes No . Verification found on page 9.

F. PUBLIC COMMENT PERIOD

Was the proposed action plan amendment published via the grantee jurisdiction's usual methods and on the Internet for no less than 15 calendar days of public comment?

Yes No . Verification found on page 9, Appendix D.

Is there a summary of citizen comments included in the final amendment?

Yes No . Verification found on page 9.

G. INFORMATION BY ACTIVITY

Does the submission contain information by activity describing how the grantee will use the funds, identifying:

- eligible use of funds under NSP,
Yes No . Verification found on page 10, 12, 14, 16, 17, 18.
- correlated eligible activity under CDBG,
Yes No . Verification found on page 10, 12, 14, 16, 17, 18.
- the areas of greatest need addressed by the activity or activities,
Yes No . Verification found on page 10, 12, 14, 16, 17, 18.
- expected benefit to income-qualified persons or households or areas,
Yes No . Verification found on page 10, 12, 14, 16, 17, 18.
- does the applicant indicate which activities will count toward the statutory requirement that at least 25% of funds must be used to purchase and redevelop abandoned or foreclosed upon homes or residential properties for housing individuals and families whose incomes do not exceed 50% of area median income?
Yes No . Verification found on page 14.
- appropriate performance measures for the activity,
Yes No . Verification found on page 10, 12, 14, 16, 17, 18.
- amount of funds budgeted for the activity,
Yes No . Verification found on page 10, 12, 14, 16, 17, 18.
- the name, location and contact information for the entity that will carry out the activity,
Yes No . Verification found on page 10, 12, 15, 16, 17, 18.
- expected start and end dates of the activity?
Yes No . Verification found on page 10, 12, 13, 15, 16, 17, 18.

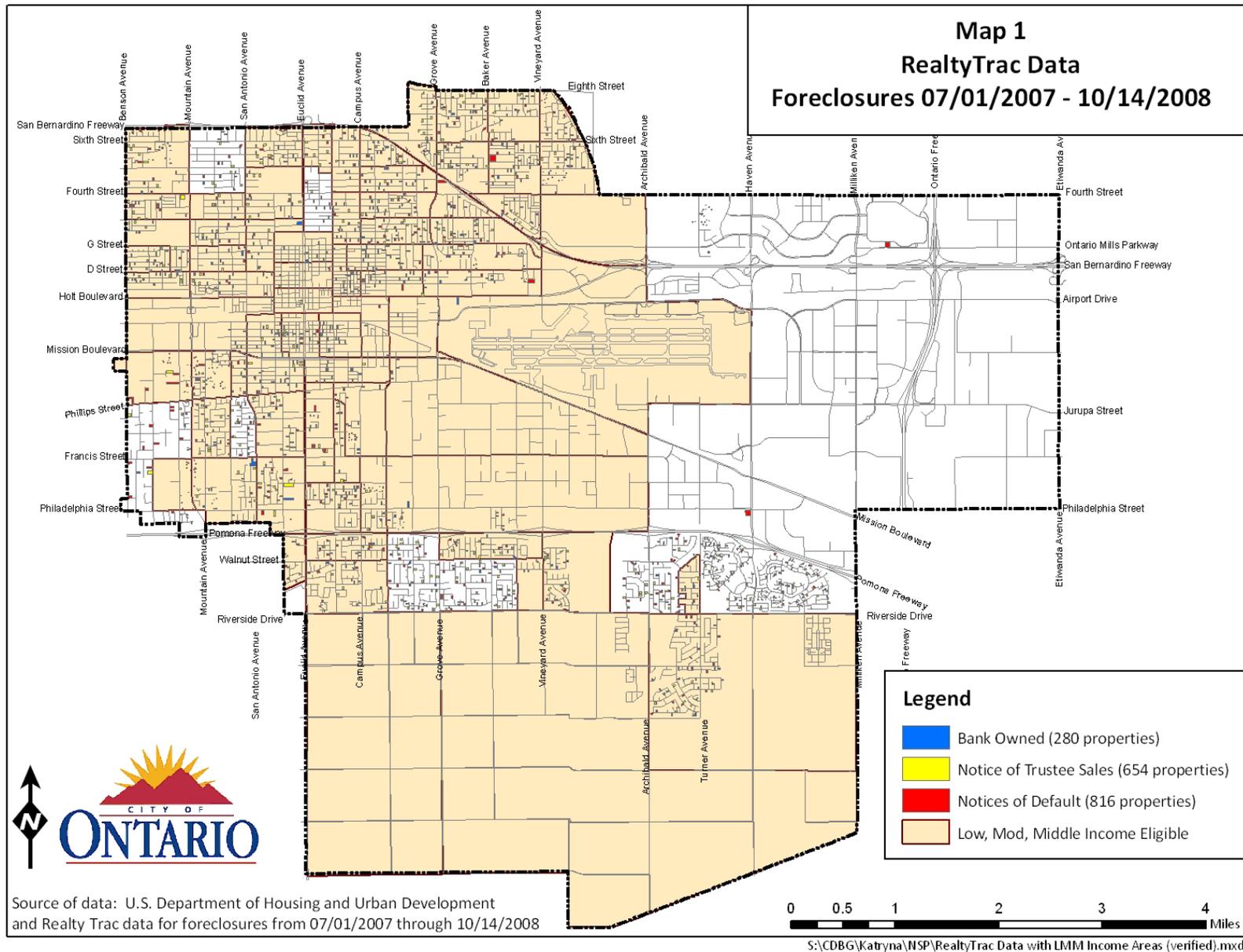
- If the activity includes acquisition of real property, the discount required for acquisition of foreclosed upon properties,
Yes No . Verification found on page 10, 13, 15.
- If the activity provides financing, the range of interest rates (if any),
Yes No . Verification found on page 11, 13.
- If the activity provides housing, duration or term of assistance,
Yes No . Verification found on page 11, 13.
- tenure of beneficiaries (e.g., rental or homeownership),
Yes No . Verification found on page 11, 13, 15.
- does it ensure continued affordability?
Yes No . Verification found on page 11, 13, 15.

H. CERTIFICATIONS

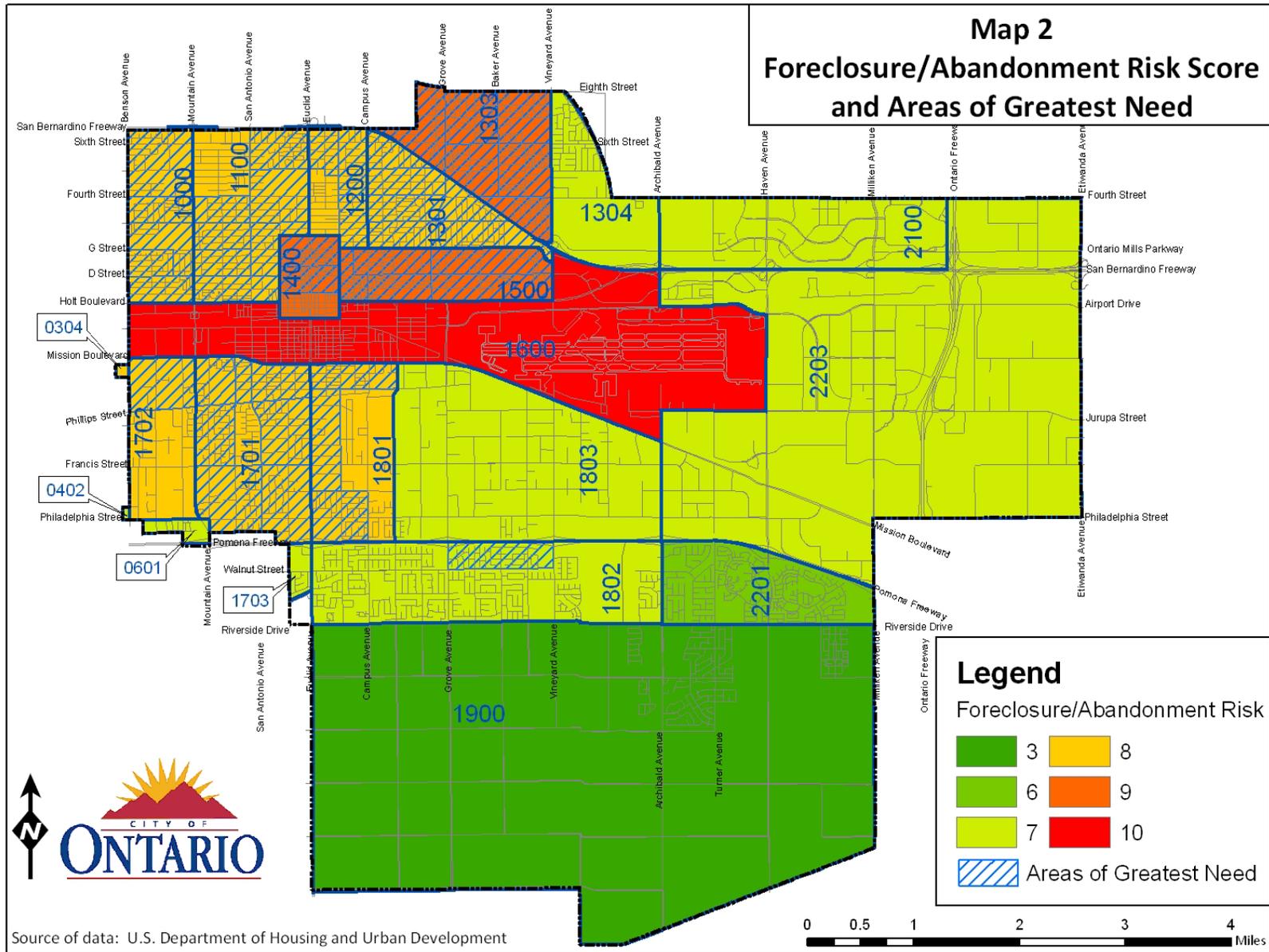
The following certifications are complete and accurate:

- | | | |
|--|---|-----------------------------|
| (1) Affirmatively furthering fair housing | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (2) Anti-lobbying | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (3) Authority of Jurisdiction | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (4) Consistency with Plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (5) Acquisition and relocation | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (6) Section 3 | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (7) Citizen Participation | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (8) Following Plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (9) Use of funds in 18 months | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (10) Use NSP funds ≤ 120 of AMI | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (11) No recovery of capital costs thru special assessments | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (12) Excessive Force | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (13) Compliance with anti-discrimination laws | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (14) Compliance with lead-based paint procedures | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (15) Compliance with laws | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

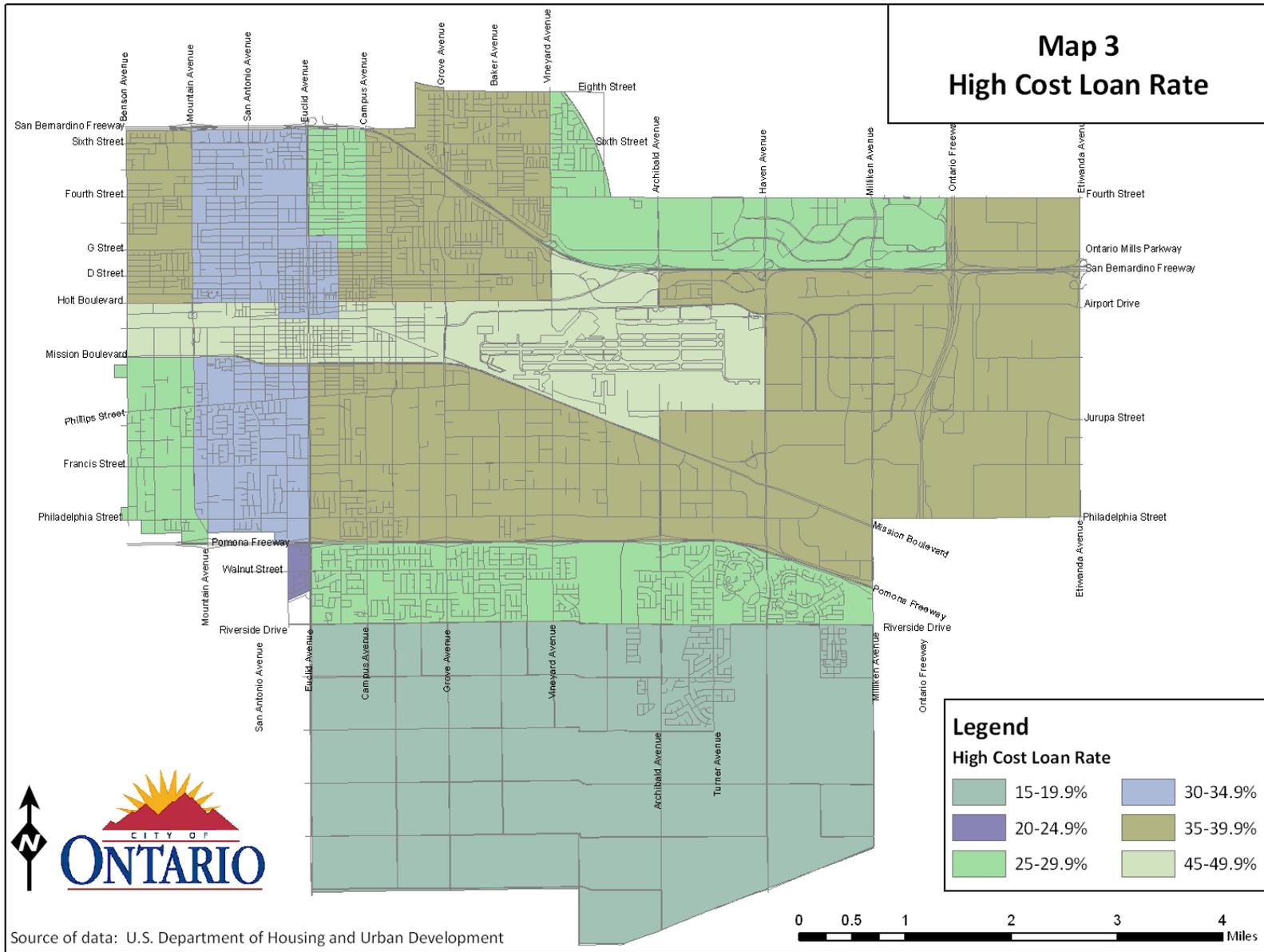
Appendix A



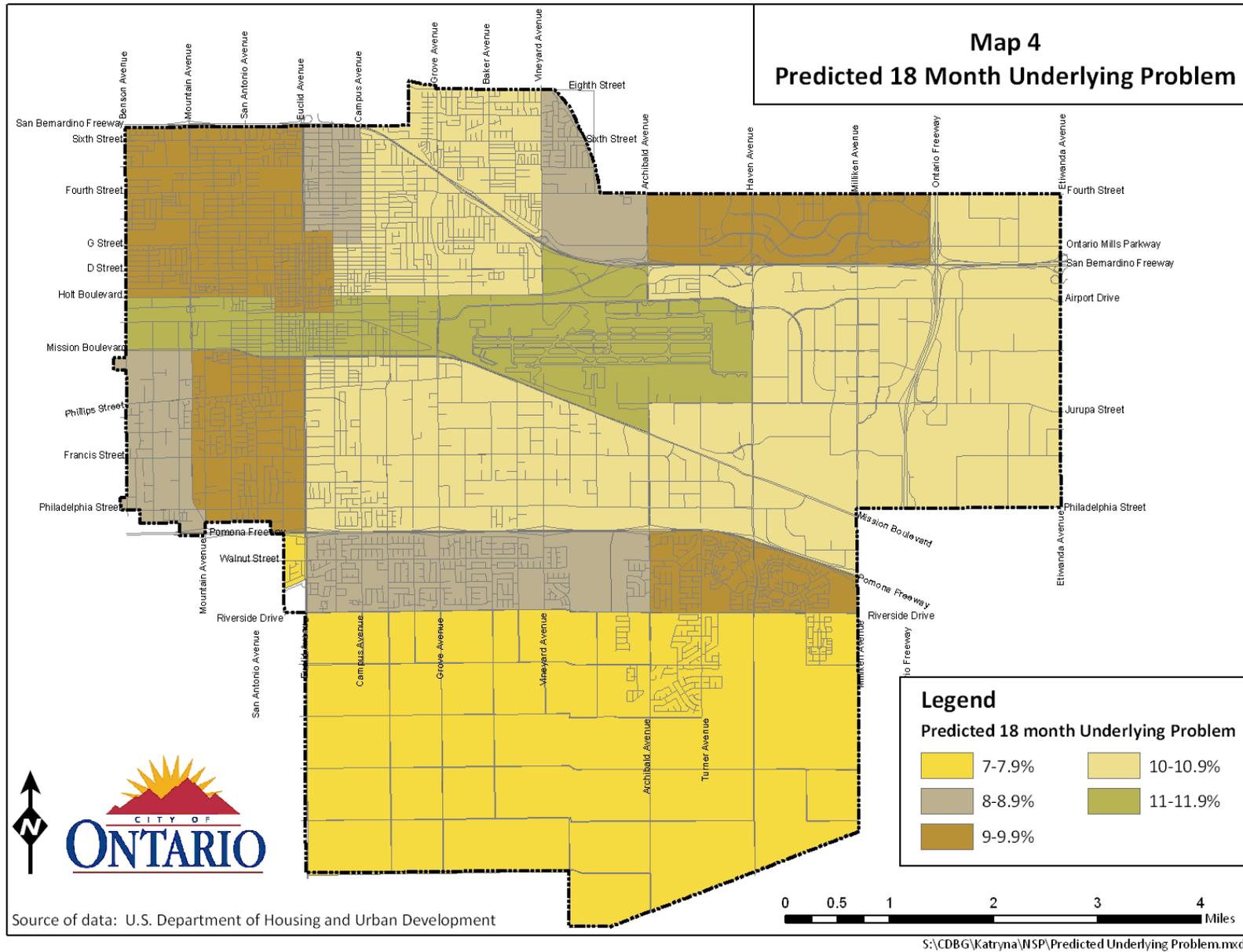
Appendix A



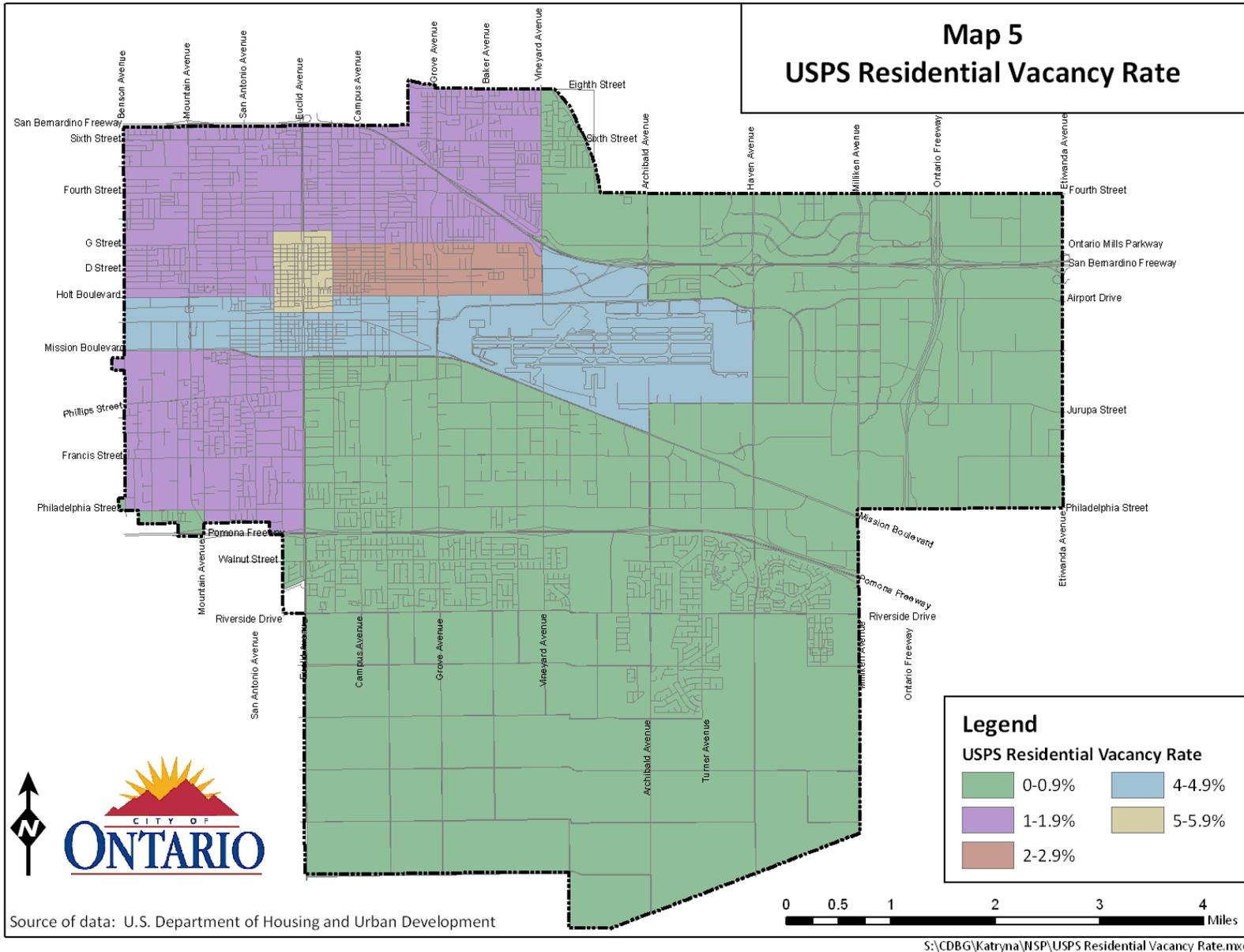
Appendix A



Appendix A



Appendix A



Appendix B

California Health and Safety Code Section 33031

(a) This subdivision describes physical conditions that cause blight:

(1) Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.

(2) Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard, defective, or obsolete design or construction given the present general plan, zoning, or other development standards.

(3) Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the project area.

(4) The existence of subdivided lots that are in multiple ownership and whose physical development has been impaired by their irregular shapes and inadequate sizes, given present general plan and zoning standards and present market conditions.

(b) This subdivision describes economic conditions that cause blight:

(1) Depreciated or stagnant property values.

(2) Impaired property values, due in significant part, to hazardous wastes on property where the agency may be eligible to use its authority as specified in Article 12.5 (commencing with Section 33459).

(3) Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.

(4) A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.

(5) Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph, "overcrowding" means exceeding the standard referenced in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.

(6) An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety, or welfare problems.

(7) A high crime rate that constitutes a serious threat to the public safety and welfare.

Appendix B

UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS SECTION 302 — DANGEROUS BUILDING

For the purpose of this code, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered:

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
6. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
7. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.
9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

Appendix B

10. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
11. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings.
12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals or immoral persons; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
13. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or Housing Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.
14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

Appendix C

Uniform Housing Code Chapter 10

1001.1 General.

Any building or portion thereof that is determined to be an unsafe building in accordance with Section 102 of the Building Code, or any building or portion thereof, including any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the conditions referenced in this section to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof, shall be deemed and hereby are declared to be substandard buildings.

1001.2 Inadequate Sanitation.

Buildings or portions thereof that shall be deemed substandard when they are insanitary. Inadequate sanitation shall include, but not be limited to, the following:

1. Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit or lodging house.
2. Lack of or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.
3. Lack of or improper kitchen sink in a dwelling unit.
4. Lack of hot and cold running water to plumbing fixtures in a hotel.
5. Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house.
6. Lack of adequate heating facilities.
7. Lack of or improper operation of required ventilating equipment.
8. Lack of minimum amounts of natural light and ventilation required by this code.
9. Room and space dimensions less than required by this code.
10. Lack of required electrical lighting.
11. Dampness of habitable rooms.
12. Infestation of insects, vermin or rodents as determined by the health officer.
13. General dilapidation or improper maintenance.
14. Lack of connection to required sewage disposal system.
15. Lack of adequate garbage and rubbish storage and removal facilities as determined by the health officer.

1001.3 Structural Hazards.

Buildings or portions thereof shall be deemed substandard when they are or contain structural hazards. Structural hazards shall include, but not be limited to, the following:

1. Deteriorated or inadequate foundations.
2. Defective or deteriorated flooring or floor supports.
3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
4. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
5. Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety.

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6. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.
7. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
8. Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.
9. Fireplace or chimneys that are of insufficient size or strength to carry imposed loads with safety.

1001.4 Nuisance.

Buildings or portions thereof in which there exists any nuisance as defined in this code are deemed substandard buildings.

1001.5 Hazardous Electrical Wiring.

Electrical wiring that was installed in violation of code requirements in effect at the time of installation or electrical wiring not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good condition or that is not being used in a safe manner shall be considered substandard.

1001.6 Hazardous Plumbing.

Plumbing that was installed in violation of code requirements in effect at the time of installation or plumbing not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good condition or that is not free of cross-connections or siphonage between fixtures shall be considered substandard.

1001.7 Hazardous Mechanical Equipment.

Mechanical equipment that was installed in violation of code requirements in effect at the time of installation or mechanical equipment not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good and safe condition shall be considered substandard.

1001.8 Faulty Weather Protection.

Buildings or portions thereof shall be considered substandard when they have faulty weather protection, which shall include, but not be limited to, the following:

1. Deteriorated, crumbling or loose plaster.
2. Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors.
3. Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
4. Broken rotted, split or buckled exterior wall coverings or roof coverings.

Appendix C

1001.9 Fire Hazard.

Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department, is in such condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause shall be considered substandard.

1001.10 Faulty Materials of Construction.

The use of materials of construction, except those that are specifically allowed or approved by this code and the Building Code, and that have been adequately maintained in good and safe condition, shall cause a building to be substandard.

1001.11 Hazardous or Insanitary Premises.

The accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials, and similar materials or conditions on a premises constitutes fire, health or safety hazards that shall be abated in accordance with the procedures specified in Chapter 11 of this code.

1001.12 Inadequate Exits.

Except for those buildings or portions thereof that have been provided with adequate exit facilities conforming to the provisions of this code, buildings or portions thereof whose exit facilities were installed in violation of code requirements in effect at the time of their construction or whose exit facilities have not been increased in number or width in relation to any increase in occupant load due to alterations, additions or change in use or occupancy subsequent to the time of construction shall be considered substandard.

Notwithstanding compliance with code requirements in effect at the time of their construction, buildings or portions thereof shall be considered substandard when the building official finds that an unsafe condition exists through an improper location of exits, a lack of an adequate number or width of exits, or when other conditions exist that are dangerous to human life.

1001.13 Inadequate Fire-protection or Firefighting Equipment.

Buildings or portions thereof shall be considered substandard when they are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

1001.14 Improper Occupancy.

All buildings or portions thereof occupied for living, sleeping, cooking or dining purposes that were not designed or intended to be used for such occupancies shall be considered substandard.

Inland Valley Daily Bulletin

November 3, 2008

B14 Monday, November 3, 2008

Inland Valley Daily Bulletin

NOTICE OF 15-DAY PUBLIC REVIEW

CITY OF ONTARIO NSP
SUBSTANTIAL AMENDMENT TO
THE CONSOLIDATED PLAN
ANNUAL ACTION PLAN FOR THE
2008-2009 PROGRAM YEAR

The Consolidated Plan FY 2008-2009 One-Year Action Plan (AP) describes how the City of Ontario intends to spend the funds it receives from the U.S. Department of Housing and Urban Development (HUD) grant programs. The City is currently entitled to funds from the following four programs: Community Development Block Grant (CDBG); HOME Investment Partnership (HOME); American Dream Downpayment Initiative (ADDI); and Emergency Shelter Grant (ESG). In addition to the funds already allocated, the City has received an allocation of Neighborhood Stabilization Program (NSP) funds requiring a substantial amendment to describe how the City of Ontario intends to spend the NSP funds.

The AP for Fiscal Year 2008-2009 was approved by City Council on May 6, 2008 and was submitted to HUD on May 9, 2008. Since this date, NSP funds in the amount of \$2,738,309 have been allocated to the City of Ontario. Eligible activities that can be funded under NSP include the following: financing mechanisms for purchase and redevelopment of foreclosed upon homes and residential properties; purchase and rehabilitation of homes and residential properties that have been abandoned or foreclosed upon in order to sell, rent, or redevelop these properties, including infrastructure and other public improvements; establish land banks for homes that have been foreclosed upon; demolish blighted structures; and redevelop demolished or vacant properties, including infrastructure and other public improvements. In addition 10% of NSP funds may be used for administrative costs.

The proposed amendment constitutes a substantial change to the AP, which necessitates a formal amendment to the AP. The proposed amendment is tentatively scheduled to be presented to City Council for approval on November 18, 2008 at the regularly scheduled City Council meeting beginning at 6:30 p.m. The City Council meeting will be located in the Council Chambers, located at 303 E. "B" Street, Ontario, CA 91764.

PUBLIC COMMENT

For a period of fifteen (15) days, beginning on Monday, November 3, 2008 and ending on Tuesday, November 18, 2008, the public is invited to submit written comments on the proposed amendment.

Copies of the proposed amendment will be available on the City's website at www.ci.ontario.ca.us and for public review at the following locations:

Ontario City Library
215 East "C" Street, Ontario

City Clerk's Office
Ontario City Hall, 303 East "B" Street,
Ontario

Housing and Neighborhood
Revitalization Agency
208 West Emporia Street, Ontario

Questions and written comments regarding the Amended Action Plan may be addressed to the following:

Katryna Gonzalez, Project Manager
City of Ontario
Housing and Neighborhood
Revitalization Director
208 West Emporia Street
Ontario, CA 91762

Comments are to be submitted no later than Tuesday, November 18, 2008. Comments received after Tuesday, November 18, 2008, will not be considered in the amendment process.

Published: Monday, November 3, 2008
#42533

Appendix E

Katryna Gonzalez

From: Katryna Gonzalez
Sent: Thursday, November 13, 2008 2:43 PM
To: 'slgirl98@aol.com'
Cc: Julie Bjork
Subject: RE: NSP Substantial Amendment

Ms. Herold,

In response to your questions regarding the NSP Substantial Amendment:

-Are condominiums included in this program? They are attached, single family homes, under separate ownership. Yes condominiums would be eligible under this program.

-Assuming approval of the NSP Substantial Amendment, how can we bring these foreclosed units/those units likely to foreclose to the attention of the City of Ontario or its development partners for possible acquisition? To assist Ontario in implementing this program, please send a list of the known foreclosed units to the following address:

City of Ontario
Housing and Neighborhood Revitalization Agency
208 W. Emporia
Ontario, CA 91762
Attn: Katryna Gonzalez

Please be advised that pursuant to the NSP guidelines, foreclosed and abandoned homes must be purchased at a discount from the appraised value. NSP activities will target abandoned and foreclosed properties that are able to be purchased at the required discount. Ontario staff has been working with several different data sources to identify foreclosures throughout the City as potential projects to undertake with these funds.

-If there is another tool that may be of help to our Association, please advise. Listed below are a few tools that may be of assistance to your Association:

- Loss Mitigation/Default Counseling – Neighborhood Partnership Housing Services (NPHS) (909-988-5979) and Inland Fair Housing and Mediation Board (IFHMB) (909-984-2254) currently are providing counseling to families to help them save their homes from foreclosure. This counseling is provided free to homeowners.
- First-Time Homebuyer Programs – Currently, NPHS administers the City of Ontario's First-Time Homebuyer Programs to assist families in purchasing their first home. These programs may assist in putting homeowners back into the homes within your Association that have been foreclosed.

Please let me know if you have any additional questions or require additional information. Thank you.

Sincerely,

Katryna Gonzalez, Project Manager
City of Ontario Housing and Neighborhood Revitalization Agency
208 W. Emporia St., Ontario, CA 91762
(909) 395-2322, (909) 395-2288 (fax)

Appendix E

kgonzalez@ci.ontario.ca.us

From: slgirl98@aol.com [mailto:slgirl98@aol.com]
Sent: Monday, November 03, 2008 4:05 PM
To: Katryna Gonzalez
Cc: Vandoren@goldcoastent.com
Subject: NSP Substantial Amendment

Ms. Gonzalez,

Hello. I am reading the NSP Substantial Amendment (DRAFT) and had questions. I live in the Mountian View Condominiums (south of Mission Blvd, west of Mountian Avenue) shown within Area 5. The condo complex is shown to have a foreclosure/abandonment risk rate of 8. I am also on the Board of Directors for the Association. I have CC'd our property manager on this e-mail as well.

There are numerous units within our complex that are vacant (approximately 5 out of 90). I am sure that more will be coming as only 60% of the current owners are paying dues. 40% are in arrears. As you can imagine, this puts the Association at risk - we are currently in default of a loan and are working out payment plans with other vendors. The board is trying to keep up maintenance of the complex, though we have already experienced severe cut backs.

My questions are:

- Are condominiums included in this program? They are attached, single family homes, under seperate ownership.
- Assuming approval of the NSP Substantial Amendment, how can we bring these foreclosed units/thoes units likely to foreclose to the attention of the City of Ontario or its devleopment partners for possible aquisition?
- If there is another tool that may be of help to our Association, please advise.

I look forward to your reply. Let me know if you need additional information.

Thank you very much.

Shonda Bello Herold
901 S. Mountain Avenue
Ontario, CA 91762

Wk Ph- 951.826.5703

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